

SUBSTITUTE FOR  
SENATE BILL NO. 1458

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
(MCL 324.101 to 324.90106) by adding sections 14721, 14723, and  
14724.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

SUBPART 2 PBDE COMPOUNDS

Sec. 14721. As used in this subpart:

(a) "Department" means the department of environmental  
quality.

(b) "Octa-BDE" means octabromodiphenyl ether.

(c) "PBDE" means polybrominated diphenyl ether.

(d) "Penta-BDE" means pentabromodiphenyl ether.

Sec. 14723. (1) Beginning June 1, 2006, a person shall not  
manufacture, process, or distribute a product or material that  
contains more than 1/10 of 1% of octa-BDE.

Senate Bill No. 1458 as amended November 9, 2004

(2) This section does not apply to the processing of recyclables containing octa-BDE in compliance with applicable federal, state, and local laws.

Sec. 14724. The department may establish a PBDE advisory committee to assist the department in determining the risk posed by the release of PBDEs, other than penta-BDE or octa-BDE, to human health and the environment. The department may use existing programs to monitor the presence of PBDEs in the state's environment to determine exposure and risk. If new scientific information gathered by the advisory committee indicates a significant risk to human health and the environment in the state, the advisory committee shall inform the department of risk or risks and, if the department concurs, the department shall advise the legislature of the risk. <<Nothing in this section shall preclude the department from issuing recommendations to the legislature independent of any actions of the advisory committee.>>

Enacting section 1. This amendatory act does not take effect unless House Bill No. 4406 of the 92nd Legislature is enacted into law.